

April 14, 2004

CHANGES IN COMPENSATION AND PENSION EXAMINATION REPORTS

1. PURPOSE: This Veterans Health Administration (VHA) Directive provides policy for making requested changes in Compensation and Pension (C&P) Examination Reports.

2. BACKGROUND

a. The Automated Medical Information Exchange (AMIE) package is the official source for a completed C&P Examination Report.

b. The Veterans Benefits Administration (VBA) has a custodial relationship to the C&P Examination Reports. Since rating decisions may have been made based on the existing documentation, any changes made to the C&P examination, must be coordinated with the appropriate VA Regional Office (VARO) for action to ensure consistency.

c. Currently, VHA clinical or contracted staff performs C&P Examination and Reports findings to VBA via AMIE. VBA prints a copy of the electronically-transmitted completed examination via AMIE, and uses the paper version to adjudicate veterans' disability claims. Requests for changes to the C&P examinations are routed to the original author for approval or disapproval.

d. Changes to existing documentation may be made in accordance with the Privacy Act and Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule; however, a critical communication gap occurs because VBA is not electronically alerted to any changes made to an examination in AMIE after the original version of the completed examination is available.

***NOTE:** Communication with VBA is critical since changes to examination reports may significantly affect the outcome of a disability rating decision.*

3. POLICY: It is VHA policy that changes to C&P Examinations Report must be the same in Text Integration Utilities (TIU) and in AMIE.

4. ACTION: When VHA health care facilities utilize TIU functionality to store the examination report, the examination must also reside in AMIE. Once the AMIE report has been released to VBA, any changes made to the report in TIU must also be made in AMIE. Whether the report resides only in AMIE or in TIU and AMIE, a copy of any changed examination will be sent to all parties who have previously received the examination. VHA health care facilities must keep a copy of the C&P examination compiled by the facility's physicians.

a. **Changes.** Administrative corrections or updates, e.g., date of birth, made to the C&P Examination Report need to be processed by the Privacy Officer, or qualified designee.

THIS VHA DIRECTIVE EXPIRES APRIL 30, 2009

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b. Amendments

(1) A request from a veteran to amend a C&P Examination Report must be in writing and submitted to the Privacy Officer at the VHA health care facility that performed the examination. The VHA health care facility should process the request only after contacting the VARO as indicated in subparagraph 2b. **NOTE:** *Amendment processing information is located in VHA Handbook 1605.1, Privacy and Release of Information.*

(2) If the VARO receives the amendment request, it needs to be forwarded to the attention of the Privacy Officer at the VHA health care facility that performed the examination. The corresponding Privacy Officer can be located via <http://vaww.vhaco.va.gov/privacy/Documents/VHACOPOList.doc>. In addition, a copy of the amended C&P Examination Report is to be provided to all parties who previously received the report as required by the Privacy Act and HIPAA Privacy Rule.

5. REFERENCES

- a. VHA Handbook 1605.1, Privacy and Release of Information.
- b. Privacy Act of 1974.
- c. HIPAA Privacy Rule, Title 45 Code of Federal Regulations Parts 160 and 164.
- d. VHA Handbook 1907.1, Health Information Management and Health Records.

6. FOLLOW-UP RESPONSIBILITY: The VHA Office of Health Data and Informatics (19F) is responsible for the contents of this Directive. Questions may be directed to (760) 777-1170.

7. RECISSION: This VHA Directive expires April 30, 2009.

S/ Art Hamerschlag for
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